

# EXHIBIT BBB

REDACTED PUBLIC  
VERSION

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN JOSE DIVISION  
4  
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6 IN RE: HIGH-TECH EMPLOYEE )  
7 ANTITRUST LITIGATION )  
8 ) No. 11-CV-2509-LHK  
9 THIS DOCUMENT RELATES TO: )  
10 ALL ACTIONS. )  
11 \_\_\_\_\_ )  
12  
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14 CONFIDENTIAL - ATTORNEYS' EYES ONLY  
15 VIDEO DEPOSITION OF PAMELA ZISSIMOS  
16 November 13, 2012  
17  
18  
19

20 REPORTED BY: GINA V. CARBONE, CSR NO. 8249, RPR, CCRR  
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10:51:04 1 THE WITNESS: Define factors.

10:51:08 2 MR. HARVEY: Q. You can use a different  
10:51:09 3 word if you want. What I'm getting at is I'm trying  
10:51:12 4 to understand what is discussed during those  
10:51:14 5 conversations with the hiring managers; for example,  
10:51:17 6 do they say well, our budget is lean this year, we  
10:51:22 7 can only offer X, we can't go above Y? Do they say  
10:51:26 8 things like that?

10:51:27 9 A. No.

10:51:28 10 MS. HENN: Object to form.

10:51:30 11 MR. HARVEY: Q. No. So if you could, in  
10:51:32 12 as general terms as you like, explain -- I can say  
10:51:35 13 categories instead of factors -- categories of  
10:51:38 14 things that you talk about with the hiring manager  
10:51:41 15 in these discussions you've had about what  
10:51:46 16 compensation to offer candidates.

10:51:48 17 MS. HENN: Objection. Lack of foundation.  
10:51:51 18 Vague.

10:51:54 19 THE WITNESS: Typically when I meet with a  
10:51:56 20 hiring manager, and we know that we want to move forward  
10:52:00 21 with a candidate, we will discuss the person's  
10:52:03 22 experience and -- years of experience and/or what  
10:52:16 23 they've worked on. And we will compare them internally  
10:52:26 24 to who we feel internally they are comparable to  
10:52:30 25 experience wise, and then we'll kind of base it from

10:52:32 1 there. Talk about it from there.

10:52:35 2 MR. HARVEY: Q. So you don't want to pay  
10:52:36 3 someone out of whack with what other people who are  
10:52:39 4 doing similar things are being paid, correct?

10:52:41 5 MS. HENN: Objection. Lack of foundation.  
10:52:43 6 Vague.

10:52:53 7 THE WITNESS: Can I hear the question again.

10:52:58 8 MR. HARVEY: Can you please read back the  
10:52:59 9 question.

10:53:05 10 (Record read as follows: So you don't want to  
10:53:05 11 pay someone out of whack with what other people  
10:53:05 12 who are doing similar things are being paid,  
10:53:05 13 correct?)

10:53:07 14 MS. HENN: Objection. Lack of foundation and  
10:53:09 15 vague.

10:53:15 16 THE WITNESS: Yes.

10:53:29 17 MR. HARVEY: Q. Do you participate in  
10:53:30 18 compensation planning firmwide at Pixar?

10:53:40 19 THE WITNESS: No.

10:53:41 20 MS. HENN: And just belated objection for lack  
10:53:44 21 of foundation.

10:53:47 22 MR. HARVEY: And that's to my prior question?

10:53:49 23 MS. HENN: Yes.

10:53:54 24 MR. HARVEY: Q. Have you ever made  
10:53:55 25 presentations or communicated with anyone on Pixar's

10:53:59 1 compensation committee?

10:54:00 2 A. No.

10:54:02 3 Q. Do you participate in any committees at Pixar?

10:54:06 4 MS. HENN: Objection. Lack of foundation.

10:54:10 5 THE WITNESS: Committees, no.

10:54:15 6 MR. HARVEY: Q. Do you report to anyone at

10:54:17 7 Disney?

10:54:18 8 A. Do I?

10:54:20 9 Q. Uh-huh.

10:54:20 10 A. No.

10:54:28 11 Q. When you reported directly to Lori McAdams, how

10:54:30 12 often would you communicate with her on a weekly basis?

10:54:37 13 A. Once a week.

10:54:38 14 Q. And were those one-on-ones?

10:54:40 15 A. Uh-huh.

10:54:40 16 Q. And that's when you and Lori McAdams would sit

10:54:42 17 down in person and have a conversation?

10:54:44 18 A. Yes.

10:54:45 19 Q. And did you communicate with her aside from

10:54:47 20 those one-on-ones, either by email or telephonically?

10:54:52 21 A. Every once in a while.

10:54:54 22 Q. And that was multiple times a week; is that

10:54:55 23 right?

10:54:56 24 A. I can't recall.

10:54:57 25 Q. And now moving away from when you directly

01:12:51 1 preference that Pixar not hire folks directly out of  
01:12:55 2 Apple corporate headquarters?

01:12:57 3 A. I had an understanding that we had a  
01:12:59 4 no-poaching policy process that we did with Apple.

01:13:03 5 Q. But I'm asking about whether you know or you've  
01:13:06 6 ever heard anybody talk about Steve Jobs' preference  
01:13:10 7 that Pixar not hire folks directly out of Apple  
01:13:13 8 corporate headquarters.

01:13:14 9 A. No, I can't speak for Steve Jobs' preference.

01:13:17 10 Q. I'm not asking you to speak for him. I'm  
01:13:19 11 asking you to reflect on your own memories and your own  
01:13:22 12 personal experience. Have you ever heard anybody say  
01:13:24 13 this at Pixar, to the effect that Steve Jobs preferred  
01:13:29 14 that Pixar not hire folks directly out of Apple  
01:13:32 15 corporate headquarters?

01:13:34 16 A. No, I have not heard it like that. No.

01:13:38 17 Q. And then Karen Chelini responds --

01:13:43 18 A. Chelini.

01:13:45 19 Q. I'm sorry, Chelini. I have a line through the  
01:13:46 20 N.

01:13:47 21 Who is Karen Chelini?

01:13:49 22 A. She was the talent manager at the time.

01:13:52 23 Q. Okay. And she says, "I'm certain we'd have to  
01:13:55 24 go through the same protocol as with any Apple  
01:13:59 25 employee."

01:13:59 1 Do you know what protocol she's referring to?

01:14:02 2 A. I don't know what she's referring to, no.

01:14:10 3 Q. Do you have an understanding of what Pixar's  
01:14:14 4 protocol was with respect to Apple employees prior to  
01:14:16 5 the DOJ investigation?

01:14:23 6 A. My understanding was in order for us to  
01:14:26 7 consider an Apple employee as a candidate, we couldn't  
01:14:34 8 make an offer without letting Steve Jobs know. And  
01:14:42 9 that, to me, my understanding is that got more loose  
01:14:50 10 once Disney bought us.

01:14:51 11 Q. Okay. Why would Disney's purchase of Pixar  
01:15:01 12 affect Pixar's recruitment of Apple?

01:15:09 13 A. My understanding is that because Steve was more  
01:15:19 14 on the Disney board, but still involved with Pixar, but  
01:15:24 15 it -- because of -- because of him not being at Pixar as  
01:15:29 16 regularly as he was, it just loosened the -- the  
01:15:39 17 strictness that it was on -- that was on it.

01:15:42 18 Q. How did the protocol change once Disney  
01:15:45 19 purchased Pixar?

01:15:47 20 A. I don't know it necessarily changed. It was  
01:15:49 21 just my acknowledgment that it seems not as --

01:15:55 22 Q. That it wasn't enforced as strictly? Is that  
01:15:58 23 fair to say?

01:15:59 24 A. Yes.

01:16:00 25 Q. Okay. And then if you go up one in time, Lori

01:16:10 1 McAdams responds and says, "I chatted with Greg, and he  
01:16:13 2 and I agree that it should be okay for us to hire from  
01:16:16 3 the retail outlets. HOWEVER," in all caps, "we should  
01:16:22 4 talk with Ed first to make sure he agrees and/or clears  
01:16:26 5 it with Steve."

01:16:29 6 She's talking about Ed Catmull, correct?

01:16:34 7 A. Yes.

01:16:35 8 Q. And Steve here is Steve Jobs?

01:16:37 9 A. I don't know.

01:16:38 10 Q. Okay. You can put that to the side.

01:17:00 11 This document is being introduced as  
01:17:02 12 Plaintiffs' Exhibit 369 and it's Bates stamped  
01:17:04 13 Pixar 3599.

01:17:17 14 (Whereupon, Exhibit 369 was marked for  
01:17:17 15 identification.)

01:17:19 16 MR. HARVEY: Q. And as before, this was in  
01:17:20 17 2005 before you worked at Pixar.

01:17:22 18 A. Okay.

01:17:22 19 Q. But just let me know once you've had a chance  
01:17:24 20 to look at it.

01:17:26 21 A. Okay.

01:18:15 22 Okay.

01:18:18 23 Q. Do you know who Howard Look is?

01:18:20 24 A. Yes.

01:18:21 25 Q. Who is he?

01:18:22 1 A. I'm sorry, I don't know his exact title. I  
01:18:25 2 don't know his exact title.

01:18:27 3 Q. Do you know roughly what his job  
01:18:28 4 responsibilities were?

01:18:29 5 A. Kind of like a CIO at the time.

01:18:32 6 Q. And that's chief information officer?

01:18:34 7 A. Yeah.

01:18:36 8 Q. Here he -- on October 21st, 2005, writes Ed  
01:18:41 9 Catmull and he says, "I asked you a couple of months ago  
01:18:45 10 about an Apple employee that would really like to work  
01:18:47 11 at Pixar, but you indicated that there was just too much  
01:18:50 12 craziness in getting that approved, and I let it go."

01:18:54 13 Have you ever spoken to anybody at Pixar  
01:18:58 14 about -- or seen anywhere craziness in getting Apple to  
01:19:05 15 approve the hiring of one of its employees?

01:19:16 16 A. I guess I'm going to have to ask what you mean.

01:19:18 17 Q. By what?

01:19:19 18 A. Well, craziness is a loose term.

01:19:23 19 Q. Sure.

01:19:23 20 A. So I don't --

01:19:24 21 Q. Sure. That's fair. Say difficulties.

01:19:31 22 A. Uh-huh.

01:19:33 23 Q. In your experience, have there been  
01:19:35 24 difficulties getting Apple to approve an Apple -- or  
01:19:37 25 hire from Apple?

01:19:38 1 A. I have not experienced it.

01:19:39 2 Q. Have you ever spoken to anybody at Pixar about  
01:19:41 3 that or seen any evidence of that?

01:19:44 4 MS. HENN: Objection. Compound.

01:19:45 5 THE WITNESS: I have not seen any evidence of  
01:19:46 6 it, no.

01:19:48 7 MR. HARVEY: Q. Okay. And then Ed Catmull  
01:19:58 8 responds three days later on October 24th, "If I  
01:20:01 9 talk to Steve, he will want the name of the guy. My  
01:20:05 10 guess is that Steve will approve it if he knows that  
01:20:07 11 he is going to lose him, but we would have to go  
01:20:10 12 through the step of Apple knowing what is  
01:20:13 13 happening."

01:20:14 14 Is this consistent with your understanding of  
01:20:17 15 how Pixar raised the issues of potential Apple hires  
01:20:21 16 with Steve Jobs?

01:20:23 17 MS. HENN: Objection. Vague as to time.

01:20:28 18 MR. HARVEY: Q. Prior to Disney's  
01:20:30 19 acquisition of Pixar.

01:20:34 20 A. My understanding is that in order to make an  
01:20:36 21 offer to an Apple employee, it would have to go through  
01:20:41 22 Steve. Yes.

01:21:00 23 MR. HARVEY: This is introduced as Plaintiffs'  
01:21:01 24 Exhibit 370, and it's Bates stamped Pixar 3481.

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01:21:14 1 (Whereupon, Exhibit 370 was marked for  
01:21:14 2 identification.)  
01:21:15 3 MR. HARVEY: Q. And this one does have you  
01:21:16 4 on it, so please let me know when you've had a  
01:21:20 5 chance --  
01:21:21 6 A. As Harbidge.  
01:21:27 7 Q. Yeah.  
01:21:39 8 A. Okay.  
01:21:40 9 Q. If you go back -- well, throughout this, is  
01:21:43 10 this an email exchange that you participated in between  
01:21:48 11 October 4th, 2006 and October 6th?  
01:21:51 12 A. Uh-huh.  
01:21:51 13 Q. Sorry. That's a yes?  
01:21:52 14 A. Yes. Sorry. Yes.  
01:21:54 15 Q. And if you go to the first in time email, the  
01:21:56 16 one you wrote October 4th you say that you have  
01:21:59 17 scheduled a phone interview with [REDACTED]. Do you  
01:22:03 18 recall the application process of [REDACTED]?  
01:22:10 19 A. No.  
01:22:11 20 Q. We'll go through it and maybe your memory will  
01:22:14 21 improve.  
01:22:14 22 A. Okay.  
01:22:16 23 Q. Let's see. And then you wrote this to Allan  
01:22:19 24 Poore. Who is Allan Poore?  
01:22:27 25 A. Gosh. I don't know his title either. He was

1 I, Gina V. Carbone, Certified Shorthand  
2 Reporter licensed in the State of California, License  
3 No. 8249, hereby certify that the deponent was by me  
4 first duly sworn and the foregoing testimony was  
5 reported by me and was thereafter transcribed with  
6 computer-aided transcription; that the foregoing is a  
7 full, complete, and true record of said proceedings.

8 I further certify that I am not of counsel or  
9 attorney for either of any of the parties in the  
10 foregoing proceeding and caption named or in any way  
11 interested in the outcome of the cause in said caption.

12 The dismantling, unsealing, or unbinding of  
13 the original transcript will render the reporter's  
14 certificates null and void.

15 In witness whereof, I have hereunto set my  
16 hand this day: November 26, 2012.

17   X   Reading and Signing was requested.

18            Reading and Signing was waived.

19            Reading and signing was not requested.

20

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\_\_\_\_\_  
GINA V. CARBONE

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CSR 8249, RPR, CCRR

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